REMARKS/ARGUMENTS

This Amendment is being filed in response to the Office Action dated January 9, 2006. Reconsideration and allowance of the application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-13 are currently pending in the Application. Claims 14-19 are added by this amendment. Claims 1, 9, and 14 are independent claims.

By means of the present amendment, claims 1-13 have been amended for better conformance to U.S. practice, such as deleting reference numerals typically used in European practice that are known to not limit the scope of the claims. Further amendments include changing correcting typographical errors and changing spelling from British to American spelling, as well as correcting certain informalities noted upon review of the claims. Claims 1-13 were not amended in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents. Applicants furthermore reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

In the Office Action, FIG. 1 is objected to for failing to functionally label each block element. In response, labels have been added to the boxes shown in FIG 1. A replacement sheet including FIGs 1, 2A, 2B is enclosed. Applicants respectfully request withdrawal of the drawing objection and approval of the

enclosed replacement sheet. It is respectfully submitted that the drawings are now in proper form and a notice to that effect is respectfully requested.

In the Office Action it is noted that an English language translation of document DE19946727 filed in an IDS submitted on January 7, 2002 should be submitted. The Applicants have identified an English language translation of the identified reference and have attached that reference following the attached figures at the end of this amendment. Please review the English language translation attached hereto and indicate same on the IDS previously submitted.

Claims 1-5, 7-11, and 13 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by European Patent Publication No. EP 0724211 A2 to McCollum ("McCollum"). Claims 1, 6, 9, and 12 are rejected under 35 U.S.C. §102(b) as allegedly anticipated by European Patent Publication No. EP 0915469 A2 to Asai ("Asai").

These rejections are respectfully traversed.

McCollum shows a system that allows a user to select a particular video and play a sample of the video, such as a 5 second clip (e.g., see Abstract). McCollum (emphasis provided) "allows a user to specify (a) a starting time and (b) a time duration. The [McCollum] invention then locates the frame, within the RESOURCE, occurring at the start time. The [McCollum] invention retrieves that frame, together with sufficient subsequent frames to span the

specified duration, and plays the sequence of frames on the user's display." (See, McCollum, Col. 2, lines 27-32.)

Col. 3, lines 19-40 of McCullen merely describes how the sequence of frames are displayed within a window on the display screen. Col. 4, lines 5-15 makes clear that the number of frames retrieved equal the number of frames exhibited per second times the number of seconds for display of a single scene selected.

In other words, McCullen merely shows that a user may select a start place within a sequence of videos and a duration for play of a single scene as similarly described in Asai (e.g., see, paragraphs 0039 and 0053. So although the scene (e.g., 5 seconds) may be the same length for any selection regardless of the length of the entire selection, the user must make the scene selection (e.g., starting time and scene duration).

"It is axiomatic that for prior art to anticipate under § 102 it has to meet every element of the claimed invention ..." (See, Hybritech Inc. v. Monoclonal Antibodies, Inc. 802 F.2d 1367, 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986).) "[A]n anticipation rejection requires a showing that each limitation of the claim must be found in a single reference, practice, or device." (See, In re Donahue, 766 F.2d 531, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985.)

Anticipation is established only when a single prior art reference discloses, expressly or under the principles of inherency, each and every element of the claimed invention as well as disclosing structure which is capable of performing the recited

functional limitations. RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir.); cert. dismissed, 468 U.S. 1228 (1984).

Yet both McCullen and Asai are lacking in features of the currently pending claims. The arrangement of Claim 1 is not anticipated or made obvious by the teachings of McCullen or Asai, either alone or in any combination.. For example, McCullen and Asai do disclose or suggest, an arrangement that amongst other patentable elements, comprises (illustrative emphasis provided) "mode means which enable the overview reproducing mode of the reproducing arrangement to be activated, at least two scenes of the stored film being reproduced in succession at the normal or an increased reproducing speed by the reproducing arrangement in the overview reproducing mode, and a skip scene recorded between two scenes and reproducible at the normal reproducing speed during a skip reproduction time interval not being reproduced in the overview reproducing mode; reproducing means which, in the overview reproducing mode of the reproducing arrangement, are adapted to reproduce the stored audio/video data of the film at the normal reproducing speed from scene start positions to scene end positions during scene reproduction times; scene defining means for autonomously defining the scenes of a stored film which are to be reproduced by the reproducing means in the overview reproducing mode, the sum of the scene reproduction times defined for a stored film by the scene defining means essentially corresponding to

always the same film overview reproduction time interval regardless of potentially different film reproduction times of the stored films" as required by Claim 1, and as substantially required by Claims 9 and 14.

Based on the foregoing, the Applicants respectfully submit that independent Claims 1, 9, and 14 are patentable over McCullen or Asai and notice to this effect is earnestly solicited. Claims 2-8, 10-13, and 15-19 respectively depend from one of Claims 1, 9, and 14 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in each of said claims. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Applicants have made a diligent and sincere effort to place this application in condition for immediate allowance and notice to this effect is earnestly solicited.

Respectfully submitted,

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